

# MIAMI BEACH

OFFICE OF THE CITY MANAGER


## COMMISSION MEMORANDUM

TO: Mayor Dan Gelber and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: January 11, 2018

SUBJECT: REPORT OF THE NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE (NCAC)  
MEETING ON WEDNESDAY, DECEMBER 20, 2017



A meeting of the Neighborhood/Community Affairs Committee was held on Wednesday, December 20, 2017 at 1:30 p.m. in the Commission Chamber, 3rd Floor of City Hall. Commissioners in attendance: Kristen Rosen Gonzalez, Michael Góngora, and Mark Samuelian. Members from the Administration and the public were also in attendance.

**Meeting opened at 1:35 p.m.**

### **OLD BUSINESS**

- 1. DISCUSSION TO CONSIDER HOSTING THE NEW AND PROPOSED MIAMI BEACH POP FESTIVAL, TO BE HELD ANNUALLY ON THE BEACH AREA FROM 5TH STREET TO 10TH STREET, WITH THE INAUGURAL DATES OF FRIDAY, DECEMBER 14, 2018 THROUGH SUNDAY, DECEMBER 16, 2018**

October 18, 2017 - C4 C

Tourism, Culture and Economic Development

### **ACTION**

Eva Silverstein, Director of Tourism, Culture and Economic Development, stated that this item was first heard at the October 27th Neighborhoods meeting with a request to bring it back with more information most notably on how these dates compare in terms of hotel room occupancy levels throughout the year in the city, hours of operation, and suggested artists who would be a part of the festival. The idea is to present a large music concert that will be held on the beach between 5th and 10th Street from December 14th to 16 with major headlining artists. The hours of operation would be Friday and Saturday from 1 p.m. to midnight and Sunday from 1 p.m. to 11 p.m. A community give back has been discussed with the event producers that would be rolled into this event since this is a large event. The anticipated attendance is between 25,000 and 35,000 visitors per day. In terms of how this compares, the tracking over the last three years for the week ending in December 19th or 20th is trending around 58% occupancy over the last three years consecutively. The way this

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tracks in terms of an annual occupancy is that this is the third least occupied week of the entire year. The lowest percentage that we have is in September where we are at 36% from September 10th to 16th and 42% from the 3rd to the 9<sup>th</sup>. The weeks of December 11th to 17th or December 18th to 24th, were the secondary lowest at 54% and 59% respectively.

Bruce Orosz, Founder & CEO of ACT Productions, stated his company has produced a number of events on the beach. Steve and Paul, the actual producers for this event have been working on putting this event together for almost a year. Mr. Orosz believes that Steve and Paul will successfully bring a very exciting new dynamic with this event to the beach which will carry a legacy of doing great music events. The show is designed to be for the community, diverse and have family values that can be shared by all.

Paul Peck, Concert, Event and Festival Producer, started that he was a part of the team that launched and developed Bonnaroo and Outside Lands which takes place in San Francisco Golden Gate Park. Mr. Peck is also the co-founder and Chief Creative of Okeechobee Music Festival in Florida. Mr. Peck intends to produce an event that celebrates Miami Beach and its deep rich culture. This is the festival that Miami Beach deserves and will create an international destination for people to come to Miami Beach. The vision is to create an annual 3-day cultural celebration celebrating the City's rich diversity and bring world-class headline level talent. Creating festivals within the festival such as a food festival and a local Art Festival will really create a unique Miami Beach experience that celebrates the City's beautiful natural feature and all the flavors locally. Two reference points for the festival are the New Orleans Jazz & Heritage Festival which celebrates a lot of local music and food. With Miami's thriving food scene this is a really big opportunity for us here and also Outside Lands in San Francisco which not only celebrates the City's great food scene but also local wine in a beautiful iconic location.

Paul Peck stated the programming will feature a diverse range of genres really reflective of the Miami Beach's Community intended to unite different community experiences and allow people to have a shared celebration. In the shared experience, we are going to focus on unique artist collaborations that are tailored for Miami Beach that we think reflect the diversity you want to create musical experiences and Festival experience that's family-friendly. For example, grandkids are able to watch something and share it with their grandparents at the same time. One of the things that was done in Okeechobee that we want to expand here is to have the Miami Beach High School jazz band come out and be one of the first artist to play at the festival. They want to work with area youth and college programs to share our platform and encourage the next generation of tremendous musical artist out of Miami. To continue on that path, festival fans get to see talented young kids and allow those young kids to play in front of a festival audience. The music will be curated to attract families and festival goers of all ages, all over the country and all

over the world. Miami has incredible local band and musician scene; they are going to really support that scene and show a platform as well as local shops, restaurants in Florida, local produce and also feature local artists.

Steve Sybesma, Owner of Frameless Creative, stated that there will be a lot of public economic benefits to the community for instance, they will use about 1,000 room nights and the artist will also use about a 1,000 room nights. They believe that the attendees would be a minimum of 10,000 room nights during this period. They are also going to have a senior citizen program where Miami Beach senior citizens are able to get a big discount on their tickets.

Commissioner Rosen Gonzalez suggested senior citizen should be able to get free tickets because they wouldn't be able to afford discounted tickets. Seniors citizens love this type of programming.

Commissioner Góngora stated it is interesting that this is the third least occupied week of the year because at one point Art Basel used to be the least occupied week of the year many years ago.

Eva Silverstein stated this is the second time this item is being presented publicly and there has not been any public outreach on this because this is a privately produced event. However, this would be an important element because this comes right after Art Basel we're the city beaches are taken out of commission by large tents for the art fairs and this is the same footprint as the Untitled in Scope area so there would be a larger time that the beaches is used for something other than just beach purposes.

Commissioner Rosen Gonzalez stated the committee heard this item at the last Neighborhoods meeting and last committee was hesitant about it because it be taking of the beach for a long time but these guys are seasoned music producers and she did not see anything wrong with trying it one year if the City gets a nice public benefit.

Steve Sybesma stated his company will be financing the festival themselves.

Eva Silverstein stated the producers could pursue the VCA and the GMCVB for funding.

**MOTION:** Commissioner Góngora moved with a favorable recommendation from this committee with the caveat that before it goes to the commission, some kind of community outreach meeting is scheduled so that when it comes back with the committee's favorable recommendation they will also have the Community's input. Commissioner Samuelian seconded.

**2. DISCUSSION REGARDING NAMING THE TENNIS CENTER AT NORTH SHORE PARK AS "MIAMI BEACH TENNIS CLUB AT NORTH SHORE PARK"**

October 18, 2017 - C4 B  
Sponsored by Vice-Mayor Alemán  
Parks and Recreation

### **ACTION**

Cindy Casanova, Assistant Director of Parks and Recreation stated that item was first referred at the July 26th Commission meeting and since then, the name Miami Beach Tennis Club received a unanimous vote from the North Beach Mayor's Steering Committee. This item was also discussed at the Park and Recreational Facility Advisory Board in October. Although the Board was in favor of Miami Beach Tennis, some expressed concern over the word "club" and what that word represented. The board agreed to revisit this item once a discussion has been made on the renaming of North Shore Open Space Park.

Commissioner Rosen Gonzalez suggested naming the park Miami Beach Tennis Center since the word "club" is controversial and sounds elitist. Commissioner Rosen Gonzalez also suggested checking with the Parks Board to make sure they are ok with the name calling the park Miami Beach Tennis Center. Since there is controversy with calling it a club and the word club has a connotation that it could be private and she wants to make sure everyone knows they can use the courts.

Commissioner Góngora noted that there were some items in the memo where different votes were taken, some of which were split. The name of park was split 3 to 2 with no clear consensus but the whole North Beach committee liked the name.

No one from the North Beach Committee was present to comment on this item.

Commissioner Góngora stated that he do not have a strong preference on what the Tennis Center is called. Commissioner Góngora would like for the community to be happy with the name. Commissioner Samuelian shared the same values.

Cindy Casanova stated that no community outreach has been done regarding the naming of the park.

Commissioner Rosen Gonzalez suggested going back to the Board and asking if they mind substituting the word Club for Center.

**MOTION:** Commissioner Góngora made a motion to call the park Miami Beach Tennis Center and move it to Park and Recreation for their input before it goes back to the Commission. Commission Samuelian seconded.

### **3. DISCUSSION REGARDING THE RENAMING OF NORTH SHORE OPEN SPACE PARK TO NORTH SHORE OCEANSIDE PARK**

July 26, 2017 - C4 T  
Sponsored by Commissioner Rosen Gonzalez  
Parks and Recreation Department

**ACTION**

Commissioner Rosen Gonzalez decided to cede this item to Commissioner Aleman. There is a rebranding of what the North Shore area is to North Beach. Commissioner Rosen Gonzalez stated she has been fighting and resisting the renaming because it's North Shore not North Beach and it has always been North Shore, it's a cultural reference. People have gone have live their lives living in North Shore so just change it to North Beach with what she perceived to be not enough public opinion is not very compassionate of a decision.

Commissioner Góngora stated that the Steering Committee was split 3 to 2 to change the name but there was not a strong preference for one name over the other.

Cindy Casanova stated that the Park Board discussed the renaming of the park was they made a motion to rename the park North Beach Oceanside Park. The motion passed 8 to 1.

**DIRECTION:** Commissioner Rosen Gonzalez withdrew the item and referred it back to the Parks Board.

**4. DISCUSSION REGARDING THE RENAMING OF NORTH SHORE OPEN SPACE PARK TO NORTH BEACH OCEANSIDE PARK**

June 7, 2017 - C4 D  
Sponsored by Vice-Mayor Alemán  
Parks and Recreation

**MOTION:** Commissioner Samuelian made a motion to name the park North Beach Oceanside Park. Commissioner Góngora seconded. All in favor.

**5. DISCUSSION REGARDING A GOVERNANCE STRUCTURE FOR ADDITIONAL FUNDING SOURCES TO SUPPORT MIAMI BEACH PUBLIC SCHOOLS**

March 1, 2017 - R9 F  
Sponsored by Vice-Mayor Alemán  
Organizational Development

**ACTION**

Dr. Leslie Rosenfeld, Chief Learning Officer for Organizational Development, stated that in April of 2017, the commission requested the creation of a 501C3 for education. In October, the commission approved the recommendation of the

Finance Community for the governance of a structure for the 501C3 for education as well as the name of that 501C3. Legal at this point and time is in the process of creating the 501C3 and are moving forward with the results of the recently conducted education prioritization survey and the pricing out of all the enhancement currently on that survey that are not underway.

Commissioner Rosen Gonzalez stated that the results seemed great, but when you look at the sample sizes, they are really small: 5, 10, 3, and 6 responses. It does not seem like a fair gauge of what's happening.

Dr. Leslie Rosenfeld stated the actual response rate for the first survey was 374 responses. The second survey had 317 responses that equated to 391 children represented on the prioritization survey. The numbers you are looking at are the number of votes or the rating for respondents to specific questions, but the overall was 317 representing 391 children.

Dr. Leslie Rosenfeld said the number for the 5 schools in our feeder pattern is about 4500 to 5000. How many actually live within our city limits is probably a little less than that. Around 10% (number of children) which is not a bad number.

Commissioner Rosen Gonzalez stated the governance model for the 501C3, is in our best interest on how to spend this money and how to govern it. Commissioner Rosen Gonzalez also stated she is completely fine with the governance model and the way the 501C3 is going to be set up.

Dr. Leslie Rosenfeld stated the direction given to them by the Finance Committee was to move forward with the assessment of the enhancements that are not currently underway and come back and provide cost estimates sometime in February.

Commissioner Rosen Gonzalez stated that the tutoring and ACT/ SAT prep models didn't get really good responses. High school parents aren't necessarily that engaged and that Parks and Recreation should offer Kaplan courses because what they offer at the school level is insufficient. If you don't test well, you ruin your chances of going to a good college. Commissioner Rosen Gonzalez agreed to go with all the other survey responses but I wanted to add ACT/ SAT prep as well.

Dr. Leslie Rosenfeld stated the way the survey was provided; you actually can look at responses by school. If you look at Beach High's responses, the questions about prioritization of SAT, PERT and ACT tutoring is available, it is actually the highest ranked item. 27.7% of the respondents under enhanced student health and wellbeing, ranked that as their top priority under that area. Commissioner Rosen Gonzalez stated we can roll this out like we did common threads and like we are doing with the drug. She would love to just go for it and start it.

Commissioner Samuelian stated the second thing we are doing is we are looking at these priorities from these surveys to approve them or not. What amount of money is going to these enhancements?

Katie Brooks, Assistant City Manager, added that the Administration is exploring this

and the Finance Committees requested they we find out what are the priorities in the community so that is what the survey did. Having found that out, the next step at the direction of finance is costing those out. We will then bring that back both here and to the finance committee to determine which of those we are recommending move forward. Funding will need to be found as currently, no funding exists for these additional items that were not already going.

Commissioner Góngora stated the Finance Committee is supposed to look for the funding and we are supposed to look at this prioritization summary report today and send it with some type of recommendation. He then questioned the purpose here in the Neighborhood's Committee on this item?

Kathie Brooks, Assistant City Manager, stated that it is necessarily because the purpose of this item was the governance, but the governance was already taken care of by that 501C3 process. So the recommendation is actually to close this item out, but the Administration will continue to report back as costs are identified

Commissioner Góngora stated that before the item is closed, we have taken a good process of trying to listen to the community. We could always have more folks respond, but 317 completed survey responses is a very positive set to try and hear from the community. He further stated that there is going to be some work to take that as input and try and prioritize and we are heading towards is some sort of prioritized wish list from the community.

Commissioner Rosen Gonzalez stated that a lot of the survey questions need to be in a fashion, like give us the top ten, give us the top 5 because this is a lot of information. Give us the top 10 wish list and the NCAC can cherry pick from that or we can refer to the Committee of Quality Education because are going through it too.

Dr. Leslie Rosenfeld stated they provided a summary sheet. On the summary sheet, it does provide for you each of the areas in the subcompact the top three for each of the schools. So it's very interesting because for the most part, the schools are aligned for what they perceived to be priorities. There are some additional areas where they may not be in alignment, but at the direction of finance, we are going to cost out all of the enhancements and have that information to everybody within the next 2 months.

**DIRECTION:** Close out the item.

**6. DISCUSSION REGARDING THE PROGRESS MADE BY THE ADMINISTRATION TO IMPLEMENT TROLLEY SERVICE FROM MIAMI BEACH TO THE WYNWOOD AND MIDTOWN MIAMI NEIGHBORHOODS**

September 25, 2017 - C4 S

Sponsored by Commissioner Rosen Gonzalez  
Transportation

**ACTION**

Jose Gonzalez, Director of Transportation, provided an update regarding this item. Mr. Gonzalez stated they continued to reach out to the City of Miami, Miami Dade County and the Wynwood Improvement District to identify opportunities to share the cost of enhancing the County operated Route A to connect Miami and Miami Beach. The Transportation Department has been communicating with staff for several months now, unfortunately at this time no party has identified any funding. The City of Miami Beach did not budget for it in the current fiscal year. In conversations with the Wynwood BID, they have indicated their budget is very small and limited. The City of Miami may have some interest but staff has indicated that they do not have funding for this initiative. They also stated that they have not been asked to look at this by their elected officials. Jose Gonzalez stated we are reaching out to staff at this point.

Kathie Brooks indicated that the City has been working on a trolley system to the Omni for at least 6 months. We have identified a way to get the trolley to the Omni for \$223,000 a year by working with the County in enhancing their existing service. We would still need to go through next year's FY18/19 budget process FY18/19 to put that in place but it was a much more manageable number than the couple million it would take independent services.

Commissioner Samuelian stated Route 101 that goes from the Omni into the heart of Miami Beach, when the county provided it there was demand for this service. It had ridership but then cut back. One idea is to find a way to go back to the county. Perhaps join forces with the City of Miami and say this is a good service.

Jose Gonzalez stated we would be supplementing a service the county is already providing.

Kathie Brooks stated that the county can cut back and we would essentially be taking over the responsibility. If Commissioner Samuelian wanted to work with the county, he could make a motion to put a resolution on the county Commission urging to restore that service and directing staff to transit that also to the City of Miami.

Commissioner Góngora stated he would like to create a resolution with both the county and Miami which they may or may not listen too. This is a really important route and right now, it's really odd that you can only take route from 7:00 am to 9:45 am and 2:00 pm to 7:00 pm it is missing lunch time and evening time. Commissioner Góngora is not ready to absorb the cost but would like to have the Transportation Committee review and send back to the committee with their recommendations.

Commissioner Rosen Gonzalez agreed with Commissioner Góngora item going before the Transportation committee. Since the RDA agreement was signed and the trolley is coming from Miami over towards the convention Center that some of the money that the county is getting should be allocated to funding this route.



Kathie Brooks stated request for funding can be put into the resolution.

**DIRECTION:** Refer item to Transportation Committee, create a resolution to the City of Miami requesting their support of our joint effort to secure services from the county, create a resolution to the county to reinstate the route and funding from the RDA for the route.

**7. DISCUSSION ON OFFERING MIAMI BEACH AS A PILOT CITY FOR UBER SELF-DRIVING CARS**

January 11, 2017 - C4 B

Sponsored by Commissioner Rosen Gonzalez

Transportation

**ACTION**

Commissioner Rosen Gonzalez stated Jose and she have been working on the self-driving item for almost a year. Commissioner Rosen Gonzalez said she would like to move forward with this technology before it is outdated.

Jose Gonzalez, Director of Transportation, stated that the direction from the City Commission was to join Miami Dade County in a partnership. At the time that this was being discussed, the county was also perusing a similar pilot initiative. As of yet, they do not have a defined pilot.. They have not yet gone out to solicit any interest from Uber or any other company. This is something that is still on their radar but it hasn't been prepared yet. We are under their directive to partner with if and when that pilot moves forward.

Commissioner Rosen Gonzalez stated that the City should reach out to Uber ourselves. There is not a better place to have a self-driving pilot program then Miami Beach.

Jose Gonzalez stated that the county has several similar initiatives but they are not moving forward with a defined initiative as yet. There is still developing it and they are still interested in a partnership with us.

Jose Gonzalez stated the City would have to look into it because the county has jurisdiction over transportation in pursuing this initiative and we would have to have a conversation with them to see if it is possible to go on a parallel track not with them.

Commissioner Góngora stated his concern regarding voting for this before moving forward is we are a very densely populated city. He would like to know if this has been studied in more rural areas where there are less people on the streets to see the results.

Commissioner Rosen Gonzalez stated the reason she brought this up is because when she was in Pittsburgh and they have a really successful program and no matter where you are you see these self-driving cars. They don't have accidents and they are efficient. Commissioner Rosen Gonzalez suggested reaching out to Uber instead of waiting for the county. There other self-driving car companies out there too.

Commissioner Samuelian stated we would be best served to collaborate with the county.

**DIRECTION:** Commissioner Rosen Gonzalez stated to reach out to Uber and present to the committee to see how the program works and identify areas in the city where this would work be most appropriate. Also inform the county. Commissioner Samuelian seconded. All in favor.

**8. DISCUSSION REGARDING THE WATER TAXI SERVICE**  
**October 18, 2017 - C4 D**  
**Transportation**

Jose Gonzalez, Director of Transportation, stated there was a one year pilot program with Water Taxi Miami that expired on November 30<sup>th</sup> and at the last Commission meeting, the Commission authorized a one month extension to cover Art Basel. This amended agreement is scheduled to expire on December 30<sup>th</sup>. At the last Neighborhood Committee meeting, there was some discussion regarding how to best move forward with his initiative being that the pilot was not very successful in terms of ridership numbers. This was a limited pilot that operated Fridays, Saturdays and Sundays only.

Different cities that have Water Taxi services were contacted to see how they structure their agreements. Essentially, it boils down to 4 options which are being presented in this item. Number 1, which they are not recommending, is to enter into a new agreement with Water Taxi Miami under new terms which can potentially be negotiated. The terms are outlined on page 87. Including the city providing a subsidy of \$1.25/ hour per vessel. If larger vessels with air-conditioning were to be used, the City would need to purchase those vessels. Water Taxi Miami offered providing free of charge commuter services from Purdy to Sea Isle and Bayside at a 15 to 30 minute frequency. Option #2 was to issue a new competitive solicitation for this service at no cost to the City. This would be similar to the previous approach from over a year ago where there was an invitation sent out to negotiate. At that time, there was only one proposer, Water Taxi Miami. Option #3 was to issue a competitive solicitation but inclusive of a City subsidy. There are some cities that are subsidizing their water taxi services. Option #4 is to partner with the county. It is on the radar of the county to have regional water tax service at some point, so they are at a feasible stage. They have expressed an interest in the City of Miami joining

them if and when that service becomes available.

Commissioner Rosen Gonzalez stated that this item had recently come before the commission and they decided to extend the service through Art Basel because it worked last year. A transit option using the waterways has been explored for a while now and has not been successful. The cost has been extremely high. Commissioner Rosen Gonzalez asked how much it would cost to go across the bay.

Jose Gonzalez stated it cost \$15.

Commissioner Rosen Gonzalez stated this was a tourist attraction and not utilitarian in any way. The other option for us was to subsidize it, but the boats are too small. Even if it was subsidized, it will never get to a volume of people where money can be made unless it was a tourist attraction. Bayside can fund it at \$120,000 a year for the City of Miami because it's for tourism because it is an added value. Commissioner Rosen Gonzalez asked if it should be moved forward to create something that residents are actually going to be used to get across the bay. It needs to be better vetted. The City can partner with the county and see how that goes.

Commissioner Samuelian stated he wants to support this but it is not working. Less than 1 person a day on average is being moved.

Max Vlessing stated that they currently only operate 3 days a week.

Commissioner Samuelian stated that working with the county is a longer term plan and that moving people from Miami Beach to Miami is the primary goal. Commissioner Samuelian asked if conversations have proceeded in terms of collaborating with the City of Miami and if they could play a more active role in this process. He would love to see if they can get them to be our partners in this.

Jose Gonzalez stated under the current solicitation, which is pursuant to an invitation to negotiate, the City of Miami was not a party to that, but Water Taxi Miami the City's operator is the same operator for the City of Miami.

Commissioner Góngora stated they have tried water taxis for many years, but have not been able to make a success of them. In theory, it sounds like it would work great but does not think we can keep moving in the direction we have been moving in or extend this pilot project. The administration is recommending that we do an RFP either with a City subsidy or without a City subsidy. Commissioner Góngora is not in favor of subsidizing the transportation; however, he thinks we should advertise on the vessel instead of subsidizing the operation.

Commissioner Rosen Gonzalez asked how many passengers the boat carried.

Max Vlessing responded about 38 passengers, but when larger boats are needed they can accommodate. Water Taxi Miami has been operating this pilot for a year. The reason why they are operating as a pilot is to make adjustment and changes to make in order to make things better. However, achieving this with the City of Miami Beach has been complicated. In the last meeting, the former mayor stated there are not any other water taxi operation in the country operating successfully with subsidies from the City or the government. This is one of the reasons why the price can be dropped down dramatically instead of just keeping it operating like they are. Adding more days will create commuter service for the community.

Commissioner Rosen Gonzalez stated there has to be a larger boat at a lower price like charging \$2 per fare the same as a bus ticket. It needs to be promoted or the Water Taxi needs to spend money on programming so people know that the Water Taxi exists.

Commissioner Rosen Gonzalez asked if this item and the trolley can be placed on the City of Miami's agenda and speak to them in an open forum. Kathie Brooks stated it would be more appropriate to have a staff member for the Commission office reach out to request that.

**MOTION:** Commissioner Góngora made a motion to 1. Suspend the service on the pilot project. 2. A recommendation from the community to go out for some type of competitive bid project process with the possibility of advertising. 3. Send an instruction to reach out to the City of Miami and engage as well as ask to be put on a future agenda so this can be heard and collaborated upon. Commissioner Samuelian seconded. All in favor.

**9. DISCUSSION REGARDING WHY PRAIRIE AVENUE, LEADING TO MIAMI BEACH SENIOR HIGH SCHOOL FROM THE NORTH, HAS BEEN NARROWED DOWN TO BARELY FIT TWO LANES OF TRAFFIC**

October 18, 2017 - C4 O

Sponsored by Commissioner Rosen Gonzalez  
Public Works

**ACTION**

Eric Carpenter, Assistant City Manager and Public Works Director, stated this item had to do with Prairie Ave between Dade Boulevard and 28<sup>th</sup> Street being narrowed down to 10 foot lanes in either direction. The City has been recently installing water lines on Prairie Ave and some of the traffic restriping has not been replaced on that street.

Commissioner Rosen Gonzalez asked that since some of the large construction projects have been deferred, in the interim restripe so that it is safe and wide enough for cars and children traveling to school.

Eric Carpenter said they can talk to the contractor about putting temporary striping down. The 10 foot lands is every typical for local streets in Miami Beach but adding the striping may make appear more normal.

Commissioner Góngora asked how long it would take to temporary restripe and the cost.

Eric Carpenter stated temporary restriping is relatively easy, paint is used. The paint is relatively inexpensive. To do the section of Prairie between Dade and 28<sup>th</sup> would be less than \$10,000. Once the schedule is worked out with the contract, it would take a day or two to do it.

**MOTION:** Commissioner Góngora made a motion to move forward with temporarily striping the road. Commissioner Samuelian second. All in favor

## **NEW BUSINESS**

10. **DISCUSSION ON THE FUTURE USE OF THE BYRON CARLYLE THEATER SITE**  
October 18, 2017 - C4 A  
Sponsored by Vice-Mayor Alemán  
Tourism Culture and Economic Development

### **ACTION**

Eva Silverstein, Director of Tourism, Culture and Economic Development, provided a background on the Byron Carlyle site. The direction from the North Beach Committee and the Neighborhoods Committee was to wait until the plan was completed and the FAR passed, which has now passed. Given the new FAR, the potential square footage could go up to 100,000 per the planning department.

Commissioner Rosen Gonzalez stated everyone ratified the master plan. We never really vetted with the community outside of those invested in the master plan. The idea of redesigning the Byron Carlyle and potentially putting it out for bid -- before we do that the city needs to let everyone know we are considering rebuilding or tearing down and building something else. A lot of residents have an emotional connection to it and would need to come forward and speak out on this. Between now and next month, we should do some sort of public workshop and announce we are considering some sort of repurposing of the Byron Carlyle Theatre. We absolutely cannot put this out for bid without proper vetting.

Commissioner Góngora stated he is always in favor of public input. He said at some point we are going to have to consider what the best use of the Byron Carlyle is. It hasn't really worked for many years as a theatre. It has flooding; the building space

is barely being used. Once the plan is developed we are going to be able to build something better and much larger. As a concept, he liked the idea of Miami Dade College being able to program some class rooms at the site. It is too early to endorse any concept at the moment.

Gloria Baez, Miami Dade College, stated for the record they are looking for a presence on the beach and it doesn't have to be at the Byron Carlyle

Commissioner Rosen Gonzalez stated she will have to recuse herself from the vote since she is one of Gloria Baez's professor's at Miami Dade College.

**MOTION:** Commissioner Góngora made a motion to move the item to a public charrette or workshop with the North Beach residents and then bring it back to the Neighborhoods Committee after input is received on this idea. Commissioner Samuelian seconded.

**11. DISCUSSION REGARDING REGULATING KITEBOARDING AND OTHER WATERCRAFT ACTIVITIES ON MIAMI BEACH**

December 13, 2017, C4 G

Sponsored by Commissioner Rosen Gonzalez  
Tourism, Culture, and Economic Development

**ACTION**

Mark Milisits, Asset Manager, stated since 2014, the City has offered kite surfing and kite boarding lessons at 76th Street Ocean Terrace concession their the concessionaire Boucher Brothers and they subcontracted the with City's approval to get water sports, provide those lessons and manage that channel. Due to an increase in the popularity of the sport, there has been an increase in the number of participants. There are a lot of riders at 26th Street location, recreational users as well as groups engaging in or providing illegal lessons. There were so many people in that area in October, we have a couple of issues so the City and Ocean Rescue placed a lifeguard stand at that location for life safety concerns. When there is a lifeguard stand in the area, that creates a restricted swim area and prohibits any kite surfers from being in the area, so essentially, they were displaced by the placement of that lifeguard stand.

Mark Milisits stated primarily, they are asking the committee if they would like to designate a specific area for kite surfing. If so, how would it be regulated that area?

Kathie Brooks, Assistant City Manager stated there was a meeting with the kite surfing community. If we have any recommendations from this committee we will take that back to the community before the ordinance is taken to the commission.

Sarah Saunders, Code Compliance Manager, stated they had a great event on December 1st at North Shore Park and Youth Center from 10:00 to noon. About 20 people came, both kite surfing enthusiasts and some beachgoers who were

concerned with safety. There were various departments in attendance, City manager office staff, ocean rescue and Mark Milisits. It was great for staff to be there and learn a little more about the sport. The Miami Beach Kiteboarding Foundation provided a presentation. The participants were divided into 2 teams. One table was discussion locations and the other table focused on roles and management. In the end, everyone had the opportunity to participate in both areas. Some of the concerns from many of the participants were more from those learning the sport who are not at the certification level of being experienced enough to be out there on their own which is causing some of the safety concerns from beachgoers. They had some different ideas of setting up various locations along the coastline that would be designated specifically for learning. There was a request that those experienced at a level 3, IKO and PASA certifications should have open access throughout the beach. Some the concerned beachgoers, who were not favor of that, they were more in favor of setting up a designated location for these activities whether it be learner or experienced. There were concerns from those who are experience that putting to many people in one location would cause a safety concern for all the kit surfers and there might also be a concern of having experienced with learners.

Ed Sellinger, Resident at 26 Oceanfront, stated there a police report from last year where he almost got injury by the harness of a flying kite which went all the way to the pool area and got within inches from his head. In the beginning, it was a nuisance, but now it is getting dangerous. There are kids swimming in this area. To remove the lifeguard stand for the convenience of the kite surfers is dangerous unless the city will assume legal responsibility if something happens. The City will end up with a lot of lawsuits if this is permitted and someone gets hurt.

Lasso Kadire, Resident at 200 N. Hibusus Drive and Apt. #1905 at Club Atlantis, a Kite Boarder stated kite boarding allows me to keep his spirt and physical well-being together. The Miami Beach Kite boarding Founding are urging to keep the Beach safe. This sport is growing, they are trying to self-police ourselves and make it safe for everyone. He has been kite boarding for 15 years with 0 accidents. He is normally at least 200 yards away from the shore. It is important to recognize that they (kite surfers) have a right to use the beach for recreational purposes. If kite surfing is pushed to 87th Street, that is going to lead to a safety concern. He had an apartment at #1905 for the purpose of being able to launch from my apartment. If they are pushed out to the city limits, this will add 45 minutes to the commute.

Juan Carlos Mondonyo, Resident at Meridian Ave, Urologist at Mount Sinai, a Kite Boarder stated he started kiting in 2006 in Miami Beach and have not had any accidents. This is a sport that requires training and proficiency. He agrees, there should be a level of expertise to handle certain situations, but the access should remain to us as residents to be able to go the beach and ride safely for us and the beachgoers. When the lifeguard was placed in 26th Street, it kicked everybody out. If felt wrong because he wants to be protected by a lifeguard when he is in the water.

Tony Raddo, Mechanical Engineer, Resident at 2010 Normandy Isle, a Kite Boarder stated he had been kite boarding for almost 20 years and have never suffered and accident. He feels that the City is taking a kneejerk reaction that is linked to an illegal operation of a Kite Boarding School in Miami Beach and I do not support this at all. The Kite Boarding Founding has to promote the safe practice of Kite Boarding in

## Miami Beach.

Roman, from The Miami Beach Kite Foundation stated he has been trying to self-enforce and self-police rules that they have had in place since 2012. Kite boarders need to be 200 feet from the shore, 50 feet from swimming, off the beach at all times and only on use the beach for launching and landing. They are very active within the community; and have organized beach clean ups and done toy drives together with 76th Street. They have been fighting to keep access open across the beach and not be pushed into one spot. They are the third biggest kite community in the United States. New York has 48 official launches, San Francisco has over 30 and Miami Dade has 3 one of which is in Miami Beach on 76th Street. If the Miami Beach Kite Foundation were to set forth regulations with the Neighborhood Committee, kiteboarding would be a safe sport for kite boarder and beachgoers and would not have any issues.

Claudia Artinez, resident at 3464 Meridian Ave, a Kite Boarder stated she has been doing this sport for the past 10 years. They have been pushed away from all of the access to the beach starting with the Biscayne area where they can no longer go. She agrees, they need rules; rules for safety. There has to be limits as to where they can kite surf, but they should be allowed to have a space on Miami Beach and to be in a safe place and not be mixed.

Jessie Uzel, resident at 1504 Bay Road, a Kite Boarder, stated in the past, there is a large section of the beach they are allowed to use, from 29th Street to 23rd Street. They had a lot of space and no issue. They started policing themselves as a group and community and trying to take care of visitors because people traveled from all over the world to kite surf at this location which was unique to the area because the conditions changed with wind direction and the tides. This group stated that they clean up the beach, try to keep it safe and monitor it for each other, and help ocean rescue

Ron Rulow, resident at 126 Collins Ave, stated he has been a part of a couple rescues. Bad incidents are reports but at least 5 lives have been saved.

Joe Garcia, resident at the Royal Club and representative of the Miami Beach Kite Board Organization stated he wants to work with the City, and want rules for kite boarding to protect people. This is a place where people came for tourism to do Kite boarding. There is no such thing as an illegal kite boarder.

Commissioner Góngora stated the City wants to limit this to certain locations.

Joe Garcia stated he is in disagreement with limiting it to certain locations. If people want to learn how to kiteboard, there should be certain areas restricted for teaching and maybe concessions where people can teach in those areas. Learners and more experienced kite boarders should not be grouped together in one area. This will cause accidents and people to venture to alternative locations such as 86th street.

Commissioner Samuelian stated asked if they can hear from safety experts on the issue and what recommendations that have been made, some of the back-up recommending that we consolidate and what is the rationale thinking behind that.



Chief Virgil Fernandez, Fire Department, stated in the last 3 years, Ocean Rescue has added 7 new towers; 26th Street is the 7th one. It is typically based on the population that is going to the beach. They recognize if there is a need for a Tower. That is why Ocean Rescue wants a 300 feet buffer zone on each side of the Tower.

Chief Canosa, Ocean Rescue, stated both sides are on the same page in regards to what we are looking for and that is safety: safety of the kite boarder and safety for the beach patrons and swimmers. Unfortunately, the City is running out of space and getting more and more populated. The City is running out of room for certain sports. The recommendation of Ocean rescue and the Fire Department is to find a spot for them where they can kiteboard and we can give them enough space where they we can keep the boaters out of the area and there will not any impact the beach patron and it will give them a place to kiteboard.

Commissioner Góngora stated that people that do the sport are in favor of having it regulated. They want to continue to do it in multiple locations and not just one location.

Commissioner Samuelian stated they need to address illegal operation.

Mark Milisits stated a list of the potential locations has been provided where the upland location is owned by the City. Ocean Rescue has provided a few parameters, they suggested for the location which eliminates most of the 13 potential locations leaving only Ocean Terrance between 84th and 76th street, the Bandshell, Marco Del Mar and possibly 46th Street.

**DIRECTION:** Come back with a series of regulations after community meeting.

**12. DISCUSSION OF THE CURRENT ROUTES AND CONDITIONS OF THE MIAMI BEACH TROLLEYS, AS WELL AS ACCESSIBILITY FOR SENIORS AND HANDICAPPED PERSONS**

December 13, 2017 - C4 M

Sponsored by Commissioner Góngora

Transportation

**ACTION**

Commissioner Michael Góngora stated that he referred this item for two purposes. The first was for the seniors who cannot access these vehicles because of walkers or mobility issues, as well as trolleys not stopping properly. Stated there is a trolley petition that should be included because it raises a lot of the issues that are being discussed. The second purpose is the South Beach loop up to 23<sup>rd</sup> street, which is not being done like the South Beach local use to.

Sarah Lipchitz, resident of Miami Beach, stated she spent considerable time collecting opinions regarding the South Beach trolley route. She stated that the route is not accommodating their needs. She stated that their needs are getting to their local Publix for residents of 17<sup>th</sup> street and going to Sunset Harbor. She stated that

their lifeline has been cut since October 19<sup>th</sup> because it is not helping the residents that need transportation. They are requesting a re-route of the South Beach Trolley back to the route SoBe local used.

Maria Delle Rodriguez stated that she is representing Davis Plaza, where there are disabled residents, residents who cannot walk to blocks to Collins Avenue, residents who live alone and do not have anyone to run their personal errands with them. There was transportation available until November 19, however the routes have changed. Stated that the trolley travels up to 17<sup>th</sup> street, however they are on 23<sup>rd</sup> street.

Commissioner Kristen Rosen Gonzalez stated that they are aware of the problem and on working to remedy it to the old route. She stated there are residents that cannot get their food or go to the bank and this something that this is an urgent matter.

Commissioner Mark Samuelian stated there are issues related to route, accessibility and issues relating to operations and service. He would like Mr. Gonzalez to address some complaints he has received regarding timeliness and language skills of drivers.

Commissioner Rosen Gonzalez stated that when the trolley replaced the South Beach local, many union workers that were trained in translating were no longer employed in the trolleys. She stated that the South Beach trolleys are comfortable now because they were retrofitted with cushions and made sure they were kneeling trolleys. This was not the case with the first set of trolleys because the commission had already bought them. She stated that these trolleys need to be retrofitted to be comfortable and accommodating of all the South Beach local routes and stops.

Kathie Brooks, Assistant City Manager, stated that there was no retro-fitting of low floors on the South Beach Trolleys. These trolleys are a completely different vehicle. At the direction of the city, the operator was directed to purchase the other trolleys, which is a kneeling trolley and has wheelchair access. However, these trolleys are not the low floor trolleys that are being used on South Beach trolley route. In order to change these trolleys, the city could try and negotiate with the operator. However, the operator has already invested in these vehicles, and there are some financial considerations to be had before making this change.

Commissioner Rosen Gonzalez stated that these trolleys have been sold across the county but they are not ADA accessible, as well as use workers that are not properly trained to translate or help disabled customers.

Jose Gonzalez, Transportation Director, stated that the city trolleys are carrying about 13,000 passengers a day, are ADA accessible and meet all of the Federal and

State transit vehicle requirements. The department is aware of the operation, comfort, and accessibility issues related to both the high floor and low floor trolleys. He stated that the high floor trolleys are accessible and have an ADA hydraulic lift in the rear of the vehicle. The issue that has been brought up has been the positioning of the lift in the back of the trolley. There were some issues with disabled riders not being able to communicate with the drivers, so an intercom was installed so that they could talk directly to the driver. All of the high floors were modified so that the height of each step was decreased, and a kneeling mechanism was added. He stated that there were some concerns early on regarding low floor trolleys because they were very new in the market.

Jose Gonzalez stated the Collins Park neighborhood is serviced by the Middle Beach Trolley which has been modified with high floor. The Publix that is a part of this route is on Dade. Many of the Collins Park residents prefer to go to the Publix at Sunset Harbor. They are currently looking for ways to extend the South Beach Trolley loop to service Collins Park by potentially modifying or eliminating via the 10<sup>th</sup> Street route.

**DIRECTION:** 1. Review the trolley contract and determine what their rights are and where they can negotiate. 2. Looking into terminating the provisions and replacing high floor trolleys with low floor trolleys. 3. Look into expanding into Collins Park.

**13. DISCUSSION REGARDING THE QUALITY OF THE FOOD BEING SERVED TO SENIOR RESIDENTS BY FOOD PROVIDERS PAID FOR BY THE CITY OF MIAMI BEACH; AND DISCUSS THE CREATION OF AN ELDER CARE COMMITTEE OR TASKFORCE TO FOCUS ON SENIOR ISSUES**

December 13, 2017, C4 L

Sponsored by Commissioner Góngora

Office of Housing and Community Services

**ACTION**

Commissioner Góngora stated that he has become alarmed at the number of complaints about the quality of the food that we are presently serving. As well as the fact we have been cutting back on Commodores and the amount of people that can eat there. One of the things Commissioner Góngora asked administration was what can be done to create a new lunch program for seniors in North Beach. He was told a basic lunch costs approximately \$5 per lunch. To fund a lunch center for 100 people is approximately \$130,000 a year. First, figure out how to get better food. In order to get better food, the City has to officially put the food providers on notice of these complaints. Second, create another lunch program for seniors in North Beach. Third, create an Elder Committee in the City or a Senior Affairs Committee to help overlook this and perhaps have another alternative for all of the complaints that come in from Seniors.

Commissioner Rosen Gonzalez stated she loved the idea of having a Senior Committee. Commissioner Rosen Gonzalez stated also stated she has been the quality decline in the food but not necessarily Jewish Community Services (JCS). The food JCS serves looks a little bit better than other providers. The only provider the City gives funding to is JCS. Commissioner Rosen Gonzalez agreed in all the referral points made by Commissioner Góngora.

Ela Goldfarb, President of Jewish Community Services, stated JCS has been happily serving Seniors since of the community since 1973. They received word that there was some concern and wanted to allay the concerns and fears. JCS brings in about \$1 million in aid from federal funds matching the \$47,000 that the city gives them. They have to locally match the millions aide with 10 percent of local funds. The Department of Elder Affairs and the Alliance for Aging tells JCS how to operate, what kind of food can be provided, and so forth. JCS is in a highly regulated business. JCS served all its people as if they were going to a restaurant, with respect, dignity and compassion. JCS tries to serve everyone. At this point, there are no lines, limits, or any issues regarding the meal sites. JCS also provide senior transportation service.

Commissioner Góngora stated he would like to schedule an appointment to meet with Little Havana to address issues that the senior citizens are having regarding the quality and taste of the food.

Commissioner Rosen Gonzalez asked if Kosher Entenmanns can be given to the Seniors She was told that she is not allowed to bring any food to the meal sites. The other locations are enjoying cookies and cake.

Ela Goldfarb stated it should not be a problem, If you call the head of their office, they would let you when where how and what to do. They try and limit other people from bring in food. Possible the members managing the site did know know you were are the Commissioner, but we do allow people to bring boxed food, but we have to make sure it's Kosher. Kosher is not just for Jewish people. Kosher is perfect for people who are lactose and tolerant.

Commissioner Rosen Gonzalez asked if commissioners could bring something Kosher to the Seniors because she feels like that are being denied treats.

Ela Goldfarb stated she would take care of it.

Maria Ruiz, Director of Housing and Community Services, stated that at the sites, they are required to keep a very strict calorie count and a strict sugar content count. One of the goals is to make sure that our seniors eat healthy. One the factors are keeping carbs down, because diabetes is such a pronounced problem in within this population. All of the sites have nutritionists that approve each of the meals. The meal count on their plate meets the federal standards as well as takes into account the special dietary needs of people their age who typically have the type of condition they have including high blood pressure and diabetes. These factors are taken into consideration when the file menu is approved months in advance.

Ela Goldfarb stated it is important to lower the sugar content; however we are always happy to have a party. There is always a reason to party. They are very vested in our community and the City of Miami Beach. Since 1973, they have brought more than 50 million to the City of Miami Beach in federal funds and so forth. They are here and continue to be here to serve the City of Miami Beach.

**DIRECTION:** Committee members will visit Little Havana Nutrition Center. The Committee made a recommendation to establish a Senior Community Board. The Committee requested that the Administration create a framework for feeding the residents of North Beach at Unidad and bring back the food numbers and concept to the January meeting so it can be sent to the commission with a solid format.

**14. DISCUSS THE ADOPT-A-BENCH PROGRAM APPLICATION FROM MAXIMILIAN CAMINO**

October 31, 2017 - C4 B

Sponsored by Commissioner Rosen Gonzalez  
Parks and Recreation

**ACTION**

John Rebar, Director of Parks and Recreation stated that the way the ordinance is set up with adopt-a-bench is to follow the proper process of naming. First get the application, refer it to Neighborhood, get a recommendation, then go back to Commission for an adoption of that recommendation and then move forward with the bench.

Commissioner Rosen Gonzalez stated she is in favor of both applications. These are our first two benches that we sold at \$10,000. Commissioner Rosen Gonzalez did not realize that the cost was \$2,500, given that two benches can be sold at \$10,000. Moving forward the benches will be \$12,500. Commissioner Rosen Gonzalez wants this money to get allocated into a fund and do something really meaningful with it. Two things need to be decided one. 1. Where is this money going? 2. How are we going to allocate it and what needs to be to raise the price so that each bench we are selling with these small plaques. This is modeled by the Central Parks bench program.

John Rebar stated there was nothing in the resolution that would prohibit administratively or through the committee's direction to raise the price.

Debora Turner, Assistant City Attorney, stated that the resolution that was passed authorized this program basically to go forth and create guidelines and price points. Also in the resolution, it was a means to raise funds and finance the Parks Department effects to beautify city parks. So the excess money does go to beautifying city parks.

Commissioner Góngora stated that the benches are a great way to make money.

Commissioner Samuelian stated this is such an innovative program. He would like to find a way to earmark these funds to a specific item so that the people who are contributing may actually see what happened to their money.

Commissioner Rosen Gonzalez suggested raises the cost to \$20,000 for a bench and plaque.

**MOTION:** Commissioner Góngora made a motion to approve both applications and recommended that increasing the fee to \$20,000 for future applicants be brought to the Commission.

**15. DISCUSS THE ADOPT-A-BENCH APPLICATION FROM JANE GOODMAN**

December 13, 2017 - C4 C

Sponsored by Commissioner Rosen Gonzalez  
Parks and Recreation

**ACTION**

**MOTION:** See item 14.

**16. DISCUSSION REGARDING A POTENTIAL RESOLUTION TO ESTABLISH FREE SWIMMING LESSONS FOR EVERY INFANT AND CHILD IN MIAMI BEACH**

December 13, 2017 - C4 J

Sponsored by Commissioner Rosen Gonzalez  
Parks and Recreation

**ACTION**

Commissioner Rosen Gonzalez stated that the reason she brought up this item is because the City already has this program which teaches 300+ children how to swim.

**DIRECTION:** Commissioner Rosen Gonzalez made a motion recommending that Marketing and Communications Department promote the fact that the City teaches kids how to swim for free.

**MOTION:** Commissioner Góngora made a motion to move the item. Commissioner Samuelian seconded. All in favor.

**17. DISCUSSION ON THE 23RD STREET AND 63RD STREET COMPLETE STREETS FEASIBILITY STUDIES**

December 13, 2017 - C4 A

## Transportation

**DIRECTION:** Defer to the January 24, 2018 NCAC meeting.

18. **RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING THE BUSINESS TERMS FOR THE ISSUANCE OF A PERMIT TO SKINNY LABS INC. D/B/A SPIN, IN CONNECTION WITH A SIX (6) MONTH CITYWIDE PILOT PROGRAM FOR STATIONLESS BIKE SHARING SERVICES; AUTHORIZING THE ADMINISTRATION TO NEGOTIATE A FINAL PERMIT AGREEMENT BASED UPON THE TERMS SET FORTH HEREIN; AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE THE FINAL PERMIT AGREEMENT.**

December 13, 2017 - R7 J

Sponsored by Vice-Mayor Alemán

Parking

### **ACTION**

Saul Frances, Director of Parking, stated that the item was referred to the Committee at the last Commission meeting for direction on a pilot program for dockless bike stations.

Commissioner Samuelian stated he is glad dockless bike have been put to the committees attention because they appear to be gaining stream. The came out of Asia and made their way to the US. The City has had a very successful program that has contributed funds to the City with the City Bike Program. Once consideration that needs to be had is if we proceed with the pilot, where will these bikes be put and how would they be regulated. This is early stage technology. Commissioner Samuelian does not want to rush with an RFP until there is a regulatory framework in place on how the bikes would be managed.

Commissioner Góngora stated that he is not 100% sold on dockless bikes. The City has a program that has been fairly successful which calls for bikes to be docked and stored in a certain manner. This is not an issue he has complaints about. This is an industry driven item and dockless is the wave of the future. Commissioner Góngora said he is not ready to commit to that future but if we decide to go in that direction there needs to be some regulatory framework as to what to do when bikes are thrown where they are not supposed to be and not picked up properly. Beyond what is in the agenda, charging a simple permit fee as a pilot project we presently get revenue out of the docked bikes. Commissioner Góngora would like to explore whether there is a possibility of getting revenue rather than issuing a permit. Commissioner Góngora is not in favor of assigning this to one company. All the companies should be allowed to have the opportunity to show us why they are the best.

Saul Frances received an updated during the discussion that the House Bill introduced a legislature that would State would regulate both dockless and bikes sharing companies or entities that are either dockless or with docking stations. It was introduced this week.

**MOTION:** Commissioner Góngora made a motion to defer the item to the January 2018 NCAC meeting. Samuel seconded.

Commissioner Samuelian added to the motion: 1. Learn about the movement from Tallahassee and the potential implications. 2. Direct staff/team to come up with a regulatory framework that would make sense, particularly addressing the issue of where the bikes go, how the bikes may be GPSed coded so we know whether there are in the right zone or not and that we are ready for them if we make the discussion to proceed. All in favor.

**19. DISCUSSION REGARDING CONTRACTING EMERGENCY SERVICES TO SAVE MIAMI BEACH TREES AFTER A HURRICANE**

December 13, 2017 - C4 F

Sponsored by Commissioner Rosen Gonzalez  
Environment & Sustainability

**ACTION**

Commissioner Rosen Gonzalez stated there were a lot of down trees after the hurricane and it was a shame and they started to dry out. In the event of another storm, Commissioner Rosen Gonzalez would like the City to be prepared with arborist and save all the trees that fall over because we do not have that many and we lost a bunch.

Elizabeth Wheaton, Director of Environment Sustainability, stated that after Hurricane Irma all hands were on deck; Greenspace Management team, Urban Forestry and Parks and Recreation Department. Arborist were all there doing assessments and identifying which trees were viable to be re-staked and watered to be kept alive. After the process of responding to the storm, staff identified opportunities to improve the re-staking and watering of the trees. Staff is talking to Procurement to understand what options are available.\: whether enter into a new contract to contract those services out or have a contractor come in and do the proper staking and watering to allow out staff to concentrate on the assessment or amend into the existing contract we have Guidelines are needed for those services. Elizabeth Wheaton stated at this time they are still in the fact finding process and they are trying to understand the best contract mechanism but would like to come back with a recommendation with how best this can be procured.



Commissioner Góngora stated that is good proactive thinking.

**DIRECTION:** Come back next month with an update.

**20. DISCUSSION REGARDING NON-TOXIC PRODUCTS IN MIAMI BEACH**

December 13, 2017 - C4 K

Sponsored by Commissioner Góngora

Environment & Sustainability

**DIRECTION:** Defer to the January 24, 2018 NCAC meeting, per Commissioner Góngora's request.

**21. DISCUSSION REGARDING A POTENTIAL ANTI-SEXUAL HARASSMENT ORDINANCE TO PROTECT HOTEL EMPLOYEES BASED UPON LEGISLATION ADOPTED BY THE CITY OF CHICAGO**

December 13, 2017 - C4 H

Sponsored by Commissioner Rosen Gonzalez

Office of the City Attorney

**ACTION**

Commissioner Rosen Gonzalez stated that this ordinance is still being worked on. This ordinance is a part of the #me-too movement. Unite Here in Chicago conducted a survey that showed 58% of hotel workers (higher where casinos are located) get sexually harassed. Chicago and Seattle are already apart of the Hands Off, Pants On movement. This ordinance would require Hotel operators to supply housekeepers with a panic button and allow them to take time off if they have to go testify for a harassment case. In addition to that, they would not get in trouble for reporting somebody. The hotel guest can potentially get banned for a year if he violates this rule. This is designed to change behaviors. Commissioner Rosen Gonzalez also stated that we are working with Unite Here, the Hotel Union, to create some sort of survey results along with hotel workers who have experience harassment who are going to come forward. The legislation is in its infancy period and will come back in January. The panic button industry reached out. The reason to hear about this is because the primary complaint on the part of the hotel industry is that the cost of a panic button is exorbitant. There are so many soft options that are not as expensive.

Felipe Portocarrero, President of Volo, introduced himself and his company. Mr. Volo provides emergency communication for companies. That has now evolved into putting emergency communications capabilities into the employee's hands. Instead of creating a hardware that has to be carried everywhere; they developed an application that can be downloaded on a smartphone. The individual would hit a button and it would send a panic alert out to whomever in the organization that is

responsible for receiving the alert. They also built in some check in capabilities so throughout the day, as they are moving around, the manager knows that they are safe and accounted for. The hardware can be provided for less than \$1 per person. A hardware based panic button via Wi-Fi for \$10 per person with no other cost or maintenance. It can get as complicated at \$2000 with GPS based devices and cellphone chips built in to track people no matter where they go. He stated that the reason Mr. Portocarrero has been in this industry for 20 years is because the clients always come back. They make them away of the situations and the risks but and they don't do anything until something bad happens or it's too late. In this case, that does not need to be the case because the technology is here and it is affordable.

Commissioner Rosen Gonzalez stand the reason she wanted them to come in is to show when there are complaints, people are going to say panic buttons cost \$350 dollars per housekeeper and they don't have to. They can be a lot cheaper. The purpose is to protect in most cases minority women, many of which do not speak English. They do not have good bus or trolley routes to get to work and when they get to work they are harassed and its not fair. Miami Beach can be on the cutting edge of this anti-harassment legislation, it would be great for us. In San Francisco and Seattle it has just been a fine. The City is looking to tie it into our business tax receipts, so a hotel will have to have the panic button technology in order to get a license to operate a hotel in the City of Miami Beach. There are also cost effective options.

Aleksandr Boksner, Assistant City Attorney, stated the Chicago ordinance in conjunction with the City of Seattle ordinance was examined and, while there is a very good structure to the ordinance a lot of which will be utilized, but the City is going to take it one step further and mandate it be tied to the business tax receipt that is issued on a yearly basis. It will require that each individual hotel operator submit an affidavit identifying that they are in fact in compliance with the City of Miami Beach's Code of Law's and Ordinances specially this provision identifying there is in fact a panic type button in effect in conjunction with other provisions. Those provision talking about an anti-sexual harassment policy that is established and maintained by the operator and they have not taken any adverse action against any hotel worker in the event that they do in fact utilize the panic button in those circumstances. The ordinance will provide the essentials protects to a class of workers that have not necessarily received that in the past. We anticipate that the onset, it will be something that will be talked about. In order to maintain its consistency, it will tie in an year in year our basis to ensure that there is continued compliance and those workers and hotels themselves the system in of itself.

Commissioner Rosen Gonzalez asked both Commissioner Samuelian and Commissioner Góngora how they felt about Hands Off, Pants On Miami Beach.

Commissioner Góngora stated he is interested in hearing about this and any we can

do to protect our employees is good. Commissioner Góngora is happy to hear that there is a cost efficient option out there. His big concern was over the price but it is very interesting to learn that less expensive means out there and looks forward to hearing more about it next month.

Aleksandr Boksner stated the ordinance will require the hotel to obtain the technology but the City of Miami Beach will not dictate what that technology will be. It will be incumbent upon each individual hotel in order to get that type of equipment up and running.

Commission Samuelian agreed with Commission Góngora. 1. We want to make sure that everyone is safe here in Miami Beach. 2. This is a new discussion, so he looks forward to hearing some of the information about how prevalent this issue is. 3. It should be a positive for a business in terms of attracting the best people to work for them to keep their employees safe. Commission Samuelian looks forward to hearing from representative from the hotel industry on how they address this issue, how they see this issue, and how they want to be out in front to address it.

Commissioner Rosen Gonzalez stated we are hoping that our largest hotel institutions like the Fontainebleau will pick this up and run with it and say we want to be “Hands Off, Pants On” in Miami Beach. This would be a beacon protecting minority women and all of the workers in their hotels. We are really hoping to partner with not just the Union but also the larger hotels in the City of Miami Beach.

Mike Llorente, Partner at Llorente & Heckler, PA, 801 Arthur Godfrey, stated his company represents a number of hospitality clients in the city. Most hospitality and hotel operators in the city want to be a part of the solution and want their workers to be safe, happy and protected. He wanted to respectfully suggest that as this process moves forward, that there is an open dialogue, have an industry forum, where the implementations can be discussed for this type of program.

Commissioner Rosen Gonzalez stated this legislation will work to change behaviors or dysfunctional behaviors and that is what we want to do. We do not want to overly tax the businesses. We want to capitalize on a moment where women are finally getting protection in terms of legislation and education.

Mike Llorente stated that his clients support this perspective. Before something is sent back to commission for final ratification, can the industry have an opportunity to participate in the process.

Commissioner Rosen Gonzalez stated that is what we are here and why she invited a representative from the panic button industry. Aleksandr is working on the legislation and so is Unite Here.

**DIRECTION:** Bring it back to committee before the first reading in February.

**22. DISCUSSION REGARDING THE INSTALLATION OF LANDSCAPING BY THE MURANO AT PORTOFINO CONDOMINIUM ALONG THE PUBLIC BAYWALK ADJACENT TO THE MIAMI BEACH MARINA**

April 26, 2017 - C4 S

Tourism, Culture, and Economic Development

**DIRECTION:** Defer to the January 24, 2018 NCAC meeting due to conflict with the Murano at Portofino Board Meeting on December 20, 2017.

**23. DISCUSSION OF THE DESIGN AND CONSTRUCTION OF TWO (2) NEIGHBORHOOD MONUMENT SIGNS REQUESTED BY THE SOUTH OF FIFTH NEIGHBORHOOD ASSOCIATION**

December 13, 2017 - C4 B

Capital Improvement Projects

**DIRECTION:** Defer to the January 24, 2018 NCAC meeting, per department's request.

**24. DISCUSSION REGARDING ENHANCING NORTH BEACH THROUGH CREATIVE FINANCING**

December 13, 2017 - C4 V

Sponsored by Commissioner Samuelian

Tourism, Culture, and Economic Development/ Finance

**DIRECTION:** Defer to the January 24, 2018 NCAC meeting, pending research.

**25. DISCUSSION TO REVIEW THE CITY'S SEXUAL HARASSMENT POLICIES, PROCEDURES AND TRAINING**

December 13, 2017 - C4 I

Sponsored by Commissioner Rosen Gonzalez

Human Resources/Organizational Development

**DIRECTION:** Defer to the January 24, 2018 NCAC meeting, per department's request.

Meeting adjourned at 4:29 p.m.

JLM/KGB/GT